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**Functional Series [300](#)
Acquisition & Assistance**

INTERIM UPDATE 09-01

SUBJECT: Rescission of Mexico City Policy Issuance of Revised Mandatory References to ADS 303 Grants and Cooperative Agreements to Non-Governmental Organizations; Updated Standard Provision for Voluntary Population Planning Activities

NEW MATERIAL: To reflect the President's announcement to rescind the Mexico City Policy, two mandatory references to ADS 303 have been revised: Standard Provisions for U.S. Nongovernmental Organizations and Standard Provisions for Non U.S. Nongovernmental Organizations.

EFFECTIVE DATE: 01/23/2009

POLICY

USAID/General Notice
M/OAA/P
01/26/2009

Subject: Rescission of Mexico City Policy; Issuance of Revised Mandatory References to ADS 303 Grants and Cooperative Agreements to Non-Governmental Organizations; Updated Standard Provision for Voluntary Population Planning Activities

To reflect the President's announcement to rescind the Mexico City Policy, two mandatory references to ADS 303 have been revised: Standard Provisions for U.S. Nongovernmental Organizations and Standard Provisions for Non U.S. Nongovernmental Organizations. The revision provides the updated Voluntary Population Planning Activities provision in both documents. The January 2009 provision

VOLUNTARY POPULATION PLANNING ACTIVITIES - SUPPLEMENTAL REQUIREMENTS replaces the existing provision of the same name dated May 2006. This provision is applicable to all awards involving any aspect of voluntary population planning activities.

The August 1984 announcement by President Ronald Reagan of what has become known as the "Mexico City Policy" directed the U.S. Agency for International Development (USAID) to withhold USAID family planning assistance from foreign non-governmental organizations (NGOs) that use non-USAID funds to engage in a wide range of activities, including providing advice, counseling, referrals or information regarding abortion, or lobbying a foreign government to legalize or make abortion available. The Mexico City Policy had been in effect from 1985 until 1993, when it was rescinded by President Bill Clinton. President George W. Bush reinstated the policy in 2001, and it had remained in place since that time. The Mexico City Policy has been implemented through the inclusion of conditions in assistance awards.

On January 23, 2009, President Obama rescinded the Mexico City Policy, noting that its conditions are not required by the Foreign Assistance Act of 1961, as amended or any other law. In rescinding the policy, President Obama directed USAID to immediately waive the policy's conditions in any current grants; notify current grantees, as soon as possible, that these conditions have been waived; and immediately cease imposing these conditions in any future grants.

USAID is prohibited from providing funds to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortion, as stipulated by the Helms Amendment enacted in 1973. This and all other statutory and policy requirements relating to family planning remain in effect and will continue to be reflected in the standard provisions set forth in the chapter.

USAID waives the Mexico City Policy requirements as of January 23, 2009 for all existing awards. To implement this change, the Director of the Office of Acquisition and Assistance (OAA) and Senior Procurement Executive issued a unilateral amendment effective January 23, 2009, that incorporates a revised provision in all affected assistance agreements (i.e., grants and cooperative agreements). The revised provision removes the conditions relating to the Mexico City Policy that were set forth in the standard provisions for assistance awards.

Agreement Officers (AOs) are required to:

- for new awards, include the revised provision in all solicitations and resulting grants and cooperative agreements that will include family planning activities,

- for existing awards, comply with separate guidance regarding the Senior Procurement Executive's unilateral amendment and notification of all recipients with affected existing grants or cooperative agreements.

The revised mandatory references are available at:

Mandatory Standard Provisions For Non-U.S., Nongovernmental Recipients -

<http://www.usaid.gov/policy/ads/300/303mab.pdf>

Mandatory Standard Provisions For U.S., Nongovernmental Recipients-

<http://www.usaid.gov/policy/ads/300/303maa.pdf>

Point of Contact: Any questions concerning this Notice may be directed to the following:
For inquiries regarding the statutory and policy requirements for family planning activities, contact

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